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**From:** Rave-Perkins, Krista </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=785BA3699A0F4D42989FBA22E659CE74-RAVE-PERKINS, KRISTA>  
**To:** Soden, Caitlin  
**Sent:** 1/27/2021 6:44:01 PM  
**Subject:** FW: Electron Hydro -- 404 Permitting for Future Construction

FYI. I was cced and will not be responding as it is addressed to the Corps.....

**From:** Chris Spens <cspens@tollhouseenergy.com>  
**Sent:** Wednesday, January 27, 2021 2:44 PM  
**To:** Walker, Michelle CIV USARMY CENWS (US) <Michelle.Walker@usace.army.mil>; Printz, Jacalen M CIV USARMY CENWS (US) <Jacalen.M.Printz@usace.army.mil>; Churchill, Jenae N CIV USARMY CENWS (US) <Jenae.N.Churchill@usace.army.mil>  
**Cc:** Rave-Perkins, Krista <Rave-Perkins.Krista@epa.gov>; sbrandterichsen@nossaman.com; Thom Fischer <thom@Tollhouseenergy.com>  
**Subject:** FW: Electron Hydro -- 404 Permitting for Future Construction

Hello All,

Below please find a conversation that would seem to clarify that the Corps should address permitting, whereas the EPA will focus on enforcement only. Electron Hydro seeks your concurrence that the Corps is our permitting agency for the continuation of the Electron Hydro bladder spillway project.

Thank you for your consideration,

**Chris Spens**

Director, Regulatory & Environmental Affairs  
Tollhouse Energy Company  
360-746-3435 Direct  
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Whitewater Engineering Corp. | Black Creek Hydro Inc. | Electron Hydro, LLC | Smith Creek Hydro, LLC | Hydro Sierra Energy, LLC

**From:** Soden, Caitlin <[Soden.Caitlin@epa.gov](mailto:Soden.Caitlin@epa.gov)>  
**Sent:** Friday, January 22, 2021 3:44 PM  
**To:** Brandt-Erichsen, Svend <[sbrandterichsen@nossaman.com](mailto:sbrandterichsen@nossaman.com)>; Broderick, John (ENRD) <[John.Broderick@usdoj.gov](mailto:John.Broderick@usdoj.gov)>; Li, Helen (ENRD) <[helen.li2@usdoj.gov](mailto:helen.li2@usdoj.gov)>; Buckley, Sarah (ENRD) <[Sarah.Buckley@usdoj.gov](mailto:Sarah.Buckley@usdoj.gov)>  
**Subject:** [External] RE: Electron Hydro -- 404 Permitting for Future Construction

Dear Svend:

Thank you for your email. I appreciate your thoughtfulness in directing your inquiry through me and not engaging EPA staff directly. However, we are unable to discuss Electron Hydro's Clean Water Act Section 404 permitting request. The enforcement arm of the government and the permitting arm have a clear division to ensure fairness in both processes – even when, as here, multiple agencies are involved. Electron Hydro should direct permitting questions to the Corps.

I apologize for any confusion regarding EPA's role. Please let me know if you have any additional questions.

-Caitlin

**Caitlin M. Soden**

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**From:** Brandt-Erichsen, Svend <[sbrandterichsen@nossaman.com](mailto:sbrandterichsen@nossaman.com)>

**Sent:** Tuesday, January 19, 2021 4:29 PM

**To:** Broderick, John (ENRD) <[John.Broderick@usdoj.gov](mailto:John.Broderick@usdoj.gov)>; Li, Helen (ENRD) <[helen.li2@usdoj.gov](mailto:helen.li2@usdoj.gov)>; Buckley, Sarah (ENRD) <[Sarah.Buckley@usdoj.gov](mailto:Sarah.Buckley@usdoj.gov)>; Soden, Caitlin <[Soden.Caitlin@epa.gov](mailto:Soden.Caitlin@epa.gov)>

**Subject:** Electron Hydro -- 404 Permitting for Future Construction

Counsel –

I would like to schedule a call with the appropriate counsel regarding permitting for the work Electron Hydro must resume in the Puyallup River later this year. Electron Hydro had a brief exchange last week with the Corps of Engineers regarding permitting and the Corps referred Electron Hydro to EPA, due to the pending enforcement matter. Before Electron proceeds further at the staff level, I would like to discuss with agency counsel. Absent the litigation, I would just ask Caitlin Soden for a call on the subject, but given that EPA is represented by DOJ in this matter, and the possibility we may bridge into matters related to the pending litigation, I am starting by directing the request to the full federal team.

I am generally available the remainder of this week, with only a couple of other scheduled calls each day.

Thanks -- Svend

**Svend Brandt-Erichsen**

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